IAP7 Rec'd PGT/PTO 07 APR 2006

FORM PTO 1390
US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. §371

ATTORNEY DOCKET NUMBER 2006-0391A

U.S. APPLICATION NO. (If known, see 101.5) 574979
NEW 103/574979

International Application No. PCT/JP2004/014840

International Filing Date October 7, 2004

Priority Date Claimed October 8, 2003

Title of Invention

AMORPHOUS ANTIBIOTIC COMPOSITION COMPRISING CEFDITOREN PIVOXIL

Applicant(s) For DO/EO/US Shigeru CHIKASE et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. [X] This is a FIRST submission of items concerning a filing under 35 U.S.C. §371.
- 2. [] This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371.
- 3. [X] This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
- 4. [] A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- 5. [X] A copy of the International Application as filed (35 U.S.C. §371(c)(2))
 - ·a. [] is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. [X] has been transmitted by the International Bureau.
 - c. [] is not required, as the application was filed in the United States Receiving Office (RO/US)
- 6. [X] A translation (15 pages) of the International Application into English (35 U.S.C. §371(c)(2)).
- 7. [X] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
 - a. [] are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. [] have been transmitted by the International Bureau.
 - c. [] have not been made; however, the time limit for making such amendments has NOT expired.
 - d. [X] have not been made and will not be made.
- 8. [] A translation of the amendments to the claims under PCT Article 19.
- 9. [X] An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
- 10. [] A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

- 11. [X] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- 12. [X] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 13. [X] A FIRST preliminary amendment.
 - [] A SECOND or SUBSEQUENT preliminary amendment.
- 14. [X] Other items or information: (a) PCT Request; (b) Forms PCT/IB/301, 304 and 308; and (c) first page of published International application (WO 2005/034957) with attached International Search Report.

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEE FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975.

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U.S. APPLICATION 6.45.74 9 7 9 INTERNATIONAL APPLICATION NO. PCT/JP2004/014840					ATTORNEY'S DOCKET NO. 2006-0391A	
15. [X] The following fees are submitted					CALCULATIONS	PTO USE ONLY
Basic National Stage Fee \$300.00 National Stage Search Fee \$400.00 National Stage Examination Fee \$200.00 Specification/drawings in excess of 100 pages (units of 50 x \$250.00) = \$						
ENTER APPROPRIATE BASIC FEE AMOUNT =					\$900.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$	
· Claims	Number Filed	Number E	Extra	Rate		
Total Claims	11 - 20 =	0_		X \$50.00	\$	
Independent Claims	1 -3=	0		X \$200.00	\$	
Multiple dependent claim(s) (if applicable) + \$360.00					\$	
TOTAL OF ABOVE CALCULATIONS =					\$900.00	
[] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.					\$	
SUBTOTAL =					\$900.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$	
TOTAL NATIONAL FEE =					\$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +					\$ 40.00	
' TOTAL FEES ENCLOSED =					\$940.00	
,					Amount to be refunded	\$
; 					Amount to be charged	- \$ · · · · ·
 a. [X] A check in the amount of \$\overline{9}40.0\$ b. [] Please charge my Deposit Accour A duplicate copy of this sheet is 6 	— nt No.23-0975 in the amoun		copy of this form er the above fees.	is enclosed.	* .	
c. [] The Commissioner is hereby auth overpayment to Deposit Account	orized to charge any additio	nal fees which may be re	equired, or credit	алу		
NOTE: Where an appropria must be filed and granted to				been met, a petitio	on to revive (37 CFR 1	.137(a) or (b))
9. CORRESPONDENCE ADDRESS By Michael R. Davis						

CUSTOMER NO.

000513

Registration No. 25,134

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April 7, 2006

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